

# **EXHIBIT 3**

1 UNITED STATES DISTRICT COURT  
2 FOR THE NORTHERN DISTRICT OF OHIO  
3 EASTERN DIVISION

4 \*\*\*\*\*

5 IN RE: NATIONAL MDL No. 2804  
6 PRESCRIPTION OPIATE  
LITIGATION Case No.  
1:17-MD-2804

7 \*\*\*\*\*

8 APPLIES TO ALL CASES Hon. Dan A. Polster

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10  
11 HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER  
12 CONFIDENTIALITY REVIEW  
13 VIDEOTAPED DEPOSITION OF JOSEPH GANLEY

14  
15 Friday, July 27th, 2018  
16 9:04 a.m.

17  
18 Held At:  
19 Liberty Hotel  
20 215 Charles Street  
21 Boston, Massachusetts

22  
23  
24 REPORTED BY:  
25 Maureen O'Connor Pollard, RMR, CLR, CSR

1 BY MR. GADDY:

2 Q. Well, from McKesson's perspective,  
3 there certainly are issues or circumstances in  
4 which manufacturers and distributors work  
5 together under the umbrella of the HDA.

6 MS. CHARLES: Objection. Form.

7 BY MR. GADDY:

8 Q. Is that true?

9 MS. CHARLES: Beyond the scope.

10 A. Yes, it's true that there are examples  
11 where that happens, yes.

12 BY MR. GADDY:

13 Q. And why would it be --

14 A. For example, the Public Policy Council  
15 doesn't have any manufacturer members. Our  
16 federal government affairs call, there's never a  
17 manufacturer on that call. So in some cases  
18 it's distributors and manufacturers, in other  
19 cases it's just distributors.

20 Q. Why would it be beneficial for  
21 McKesson to be a member of a trade association  
22 where distributors and manufacturers can work  
23 together under the same umbrella?

24 MS. CHARLES: Objection. Beyond the  
25 scope, form.

1 from McKesson's perspective based on your  
2 participation within the HDA, have common goals  
3 when it comes to rules and regulations and DEA  
4 enforcement?

5 MS. CHARLES: Objection. Form, beyond  
6 the scope.

7 A. Generally, yes.

8 BY MR. GADDY:

9 Q. Well, let me break it down.

10 You agree that from McKesson's  
11 perspective, based on their participation within  
12 the HDA, that the members, which include  
13 Cardinal Health, AmerisourceBergen, Miami-Luken,  
14 Purdue Pharma, Endo, Teva, that they have common  
15 goals when it comes to rules and regulations?

16 MS. CHARLES: Objection. Form, beyond  
17 the scope.

18 A. I can only speak to the distributors,  
19 again, because I have not been part of public  
20 policy conversations that include the  
21 manufacturers. So while the manufacturers are  
22 members, they don't generally participate in the  
23 Public Policy Council or the government affairs  
24 committees.

25 BY MR. GADDY:

1       its participation within HDA, do the wholesale  
2       distributor members have common goals when it  
3       comes to rules and regulations?

4                   MS. CHARLES:  Objection.  Form.

5                   A.  Yes.

6       BY MR. GADDY:

7                   Q.  From McKesson's perspective, based on  
8       their participation within the HDA, do the  
9       wholesale distributors have common goals when it  
10      comes to DEA enforcement?

11                   MS. CHARLES:  Objection.  Form.

12                   A.  Yes.

13      BY MR. GADDY:

14                   Q.  From the perspective of McKesson,  
15      based on its participation within the HDA, do  
16      the wholesale distributor members have common  
17      goals when it comes to drug annual production  
18      quotas?

19                   MS. CHARLES:  Objection.  Form.

20                   A.  There may be some differing points of  
21      view on that.  But I don't know that I could  
22      speak to the other companies' perspective on  
23      that issue.

24                   But I believe HDA has some vaguely  
25      worded language that speaks to the need to think

1 thoughtfully about production quotas, or  
2 something like that. I don't know that they  
3 fully endorsed reducing production quotas, but  
4 maybe they have. I'd have to look.

5 BY MR. GADDY:

6 Q. I want to kind of shift a little bit  
7 and talk about some of the things that HDA does  
8 for its members.

9 A. Sure.

10 Q. Would one of things that HDA would do  
11 be send letters to state or federal lawmakers on  
12 behalf of its members?

13 MS. CHARLES: Objection. Beyond the  
14 scope.

15 A. Yes.

16 BY MR. GADDY:

17 Q. And it can send letters on behalf  
18 of -- HDA can send letters on behalf of all of  
19 its members because all the members, as you  
20 said, have a common purpose or common goals?

21 MS. CHARLES: Objection. Form, beyond  
22 the scope.

23 A. Well, it would send a letter on behalf  
24 of its members with the members' approval.

25 BY MR. GADDY:

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ACKNOWLEDGMENT OF DEPONENT

I, Joseph Ganley, do  
Hereby certify that I have read the foregoing  
pages, and that the same is a correct  
transcription of the answers given by me to the  
questions therein propounded, except for the  
corrections or changes in form or substance, if  
any, noted in the attached Errata Sheet.

Joseph Ganley  
JOSEPH GANLEY

9/6/18  
DATE

Subscribed and sworn

To before me this

6<sup>th</sup> day of September, 2018.

My commission expires: 03/31/2021

Lucy V. Spears  
Notary Public

